

State of California  
Regional Water Quality Control Board  
North Coast Region

Cathleen Goodwin  
January 7, 2003

EXECUTIVE OFFICER'S SUMMARY REPORT  
9:00 a.m., January 23, 2003  
Regional Water Quality Control Board  
Hearing Room  
5550 Skylane Boulevard, Suite A  
Santa Rosa, California

ITEM: 7

SUBJECT: Update Regarding Occidental County Sanitation District and Request by Sonoma County Water Agency for Modification of Administrative Civil Liability Order No. 97-126, Cease and Desist Order No. R1-2001-47 and Time Schedule Order No. R1-2001-48

#### DISCUSSION

On September 26, 2002, Regional Water Board staff provided an update to the Regional Water Board regarding enforcement actions taken against the Occidental County Sanitation District (District) Wastewater Treatment Facility (WWTF) which is operated by the Sonoma County Water Agency (Agency). The District and the Agency are collectively referred to in this staff report as the Discharger.

The September 26, 2002 staff update was a result of the Discharger's request for modification of Administrative Civil Liability (ACL) Order No. 97-126, Cease and Desist Order (CDO) No. R1-2001-47, and Time Schedule Order (TSO) No. R1-2001-48 for the Occidental County Sanitation District. The staff report also highlighted the Discharger's progress to date under these three enforcement orders. The Discharger's modification requests and the Regional Water Board's direction to staff on September 26, 2002 are summarized as follows:

1. In a letter to the Regional Water Board Executive Officer dated May 31, 2002, the Discharger requested an extension of time to complete remaining tasks in CDO R1-2001-47 and TSO R1-2001-48.

The Regional Water Board requested that additional information be submitted by the Discharger, including a detailed time schedule for completion of the proposed wastewater treatment plant upgrade project and a detailed financial plan describing the Discharger's plans for funding the proposed wastewater treatment plant upgrade project. The Regional Water Board stated that it would consider granting the requested time extension, if sufficient justification for the time extension and demonstration of funding for the project could be made.

2. In a letter to the State Water Board dated July 11, 2002 the Discharger requested to be excused from the remaining \$50,000 civil liability that came due under ACL No. 97-126 on September 1, 2002.

As staff reported at the September 26, 2002 Board Meeting, the State Water Board will not act on this request without a recommendation from the Regional Water Board. The Regional Water Board stated its desire to have the Discharger's detailed time schedule and financial plan prior to addressing the Agency's ACL modification request. Accordingly, the Regional Water Board continued its discussion of this matter to the January 23, 2003 Regional Water Board meeting.

Regional Water Board staff sent a letter to the Agency on October 31, 2002 requesting a detailed time schedule and financial plan (Attachment 1). Regional Water Board staff met with Mike Thompson of the Agency on November 1, 2002 to discuss the request. On November 8, 2002, Regional Water Board staff also attended a meeting with Agency staff, and Camp Meeker and Occidental County Sanitation District representatives to discuss specifics of the wastewater treatment plant upgrade project and funding. The Agency submitted a letter to Regional Water Board staff on November 18, 2002 (Attachment 2) in response to the October 31, 2002 Regional Water Board letter. The Agency's letter briefly summarizes the November 8, 2002 meeting and states that the requested Time Schedule and financial plan would be submitted by December 15, 2002.

Although the detailed time schedule and financial plan (Attachment 3) have now been received from the Discharger, the revised CDO and TSO could not be prepared in time for the January 2003 Regional Water Board meeting. Regional Water Board staff will proceed with preparation of the amended CDO and TSO for consideration at a Public Hearing to be held during the March 27, 2003 meeting of the Regional Water Board.